

**UNITED STATES DISTRICT COURT**  
***Eastern District of Washington***

DAREK J. GIANCOLA,

Plaintiff,

v.

**JUDGMENT IN A CIVIL CASE**

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

CASE NUMBER: CV-07-044-AMJ

Defendant.

- Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- Decision by Court.** This action came to hearing before the Court. The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the Report and Recommendation (Ct. Rec. 24) to grant Defendant's motion for Summary Judgment and deny Plaintiff's Motion for Summary Judgment is ADOPTED in its entirety. The Commissioner's decision to deny Plaintiff benefits is Affirmed.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order and an Order of Judgment, forward copies to counsel, and close the file.

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October 23, 2007  
Date

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JAMES R. LARSEN

Clerk

s/ Cheryl Switzer

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(By) Deputy Clerk

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Cheryl Switzer